

***IN THE DISTRICT COURT OF THE UNITED STATES***

***for the Western District of New York***

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**JANUARY 2020 GRAND JURY  
(Impaneled January 3, 2020)**

**THE UNITED STATES OF AMERICA**

**INDICTMENT**

**-vs-**

**Violations:**

**ANDREW LYNCH  
a/k/a Gregory O'Neil**

**Title 18, United States Code,  
Sections 2251(a), 2252A(a)(2)(A),  
2422(b), and 2261A(2)(B)  
(6 Counts)**

**COUNT 1**

**(Production of Child Pornography)**

**The Grand Jury Charges That:**

On or about May 5, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, did employ, use, persuade, induce, entice, and coerce, and attempt to employ, use, persuade, induce, entice, and coerce, a minor, that is, Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce; knowing and having reason to know that such visual depiction would be transported and transmitted in and affecting interstate and foreign commerce; and which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; which visual depiction was actually transported and

transmitted using any means and facility of interstate and foreign commerce; and which visual depiction was actually transported and transmitted in and affecting interstate and foreign commerce.

**All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).**

**COUNT 2**

**(Production of Child Pornography)**

**The Grand Jury Further Charges That:**

On or about May 14, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, did employ, use, persuade, induce, entice, and coerce, and attempt to employ, use, persuade, induce, entice, and coerce, a minor, that is, Victim 1, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce; knowing and having reason to know that such visual depiction would be transported and transmitted in and affecting interstate and foreign commerce; and which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce; and which visual depiction was actually transported and transmitted in and affecting interstate and foreign commerce.

**All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).**

### **COUNT 3**

#### **(Receipt of Child Pornography)**

#### **The Grand Jury Further Charges That:**

On or about May 5, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, did knowingly receive child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, images of Victim 1, a person known to the Grand Jury, that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).**

### **COUNT 4**

#### **(Receipt of Child Pornography)**

#### **The Grand Jury Further Charges That:**

On or about May 14, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, did knowingly receive child pornography, as defined in Title 18, United States Code, Section 2256(8), that is, images of Victim 1, a person known to the Grand Jury, that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).**

**COUNT 5**

**(Enticement of a Minor)**

**The Grand Jury Further Charges That:**

Between on or about April 29, 2018, and on or about May 23, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, using facilities and means of interstate and foreign commerce, that is, a cellular telephone and the internet, did knowingly persuade, induce, entice, and coerce, and attempt to persuade, induce, entice, and coerce, Victim 1, a person known to the Grand Jury, an individual who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense.

**All in violation of Title 18, United States Code, Section 2422(b).**

**COUNT 6**

**(Cyberstalking)**

**The Grand Jury Further Charges That:**

Between on or about April 29, 2018, and on or about May 23, 2018, in the Western District of New York, and elsewhere, the defendant, ANDREW LYNCH a/k/a Gregory O'Neil, with the intent to injure, harass, and intimidate another person, that is, Victim 1, a person known to the Grand Jury, did knowingly use an interactive computer service, an electronic communication service, an electronic communication system of interstate commerce, and other facilities of interstate and foreign commerce, namely, a cellular

telephone and the internet, to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause, substantial emotional distress to Victim 1.

**All in violation of Title 18, United States Code, Section 2261A(2)(B).**

DATED: Buffalo, New York, June 2, 2020.

JAMES P. KENNEDY, JR.  
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A TRUE BILL:

S/FOREPERSON